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From Non-Rights of Heritage to Land Donation in Dassa and Niaogho in Burkina Faso

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Abstract

Women are portrayed as marginalized regarding their access to land. NGOs and many authors present this situation irrespective of its relativistic nature. Through the example of the localities of Niaogho and Dassa in Burkina Faso, this article presents peculiarities that question the general understanding that women do not have access to land. Our research question is: How do the women of Niaogho and Dassa do/manage to get farmland? The aim is to show that although women do not have inheritance rights, they have arable land for their agricultural needs. From the qualitative method and through individual interviews with women in both localities, the results show that access to land is made by donation. Every woman can have her own land if she expresses the need for a landowner. The acquisition of a plot of land can also be done by settling near a field left fallow by her husband. Thus, unlike girls, women have access to land and appear as permanent owners of their fields.

Keywords
Access to land; lineage; no inheritance right; donation; Burkina Faso

I. Introduction

Gender relations are a historicized social reality that tends to be confused with standard social facts. These relations appear in the privileges granted to men to the detriment of women. In the rural context of gurounsis people, for example, the man is unquestionably the owner of the "factors of production" (K. Marx et al., 1848), without being fully responsible for mobilizing the family's food resources. Women are essential partners in agricultural production (M. Koné, 2011), through the processing and consumption of products. The sexual division of labor assigns her the heaviest burden of agrarian output (C. Meillassoux, 1975).

In rural areas, women are the mainstay for agricultural production. In addition to growing vegetables needed to run the household, they contribute, through their harvests, to the schooling of the children and the health care of the whole household. C., Coquery-Vidrovitch (1982 p. 67) presents them as an indispensable force in household survival: "Women provide the bulkiest agricultural endeavor, the fruits of which they bring to the 'elders' (heads of the lineage and elders), who are responsible for meeting for the needs of the whole group through a carefully considered redistribution". Suppose women are an essential part of the production and consumption chain of household resources. In that case, we need to question their access to natural production resources, particularly land, which appears to be the most essential element. Political declarations and the actions of NGOs stipulate that women do not have access to land (N. Ordioni, 2005). Generally

speaking, "even if women are the main actors in rural work, not only do they often have no right to the land, but they also have no right to decide on the income derived from it" (Les Actions et al., 2009 p 253). As for the authors who concede the recognition of this access, they consider that they have access to marginal land (F. Ki-zerbo et al., 2006) or to undervalued land qualified as usufruct (T. Bassett; J. Thomas, 1995).

Empirical observation of daily practices in the localities of Niaogho and Dassa suggests that women have access to land. This raises the question of women's role in the rural economy. Considered in the past as an inactive force in the production unit, social changes have required a deconstruction of the organization of production units and therefore, an analysis of the role of women in the production process, with particular emphasis on the category of work object (land or any other material, raw or not, necessary in the production process). From this perspective, the literature points to women's limited access to land for agricultural production. How do the women of Niaogho and Dassa go about obtaining arable land? This research aims to show that, although women have no inheritance rights, they do have cultivable land for their agricultural needs and their family food security. Access to land is okay for them. The women of Niaogho and Dassa may not have inheritance rights, but they still have access to land. This research has adopted the theory of the "commons" (E. Ostrom, 1990; D. Bromley, 1992). This theory is based on a triptych: a resource - a community - a set of rights and obligations that reflect land management through collective rules governing access to and use of the land.

After describing the field and the research methodology, this article will examine, respectively, the normative foundations of women's access to land, women's experiences to land access in Niaogho and Dassa, the question of land donation as an obligation and the concept of "édji oko".

II. Research Method

This research was carried out in the communes of Niaogho and Dassa in Burkina Faso. Firstly, both communes belong to different regions and provinces of the country. Secondly, although some historians postulate the existence of socio-historical relations between the settlement strains in the two localities (S. A. Balima, 1996), most field research today stipulates that the Bissa social group inhabits Niaogho with a Lebri dialect variant (A. Faure, 1996, 1983; J.P. Lahuec, 1979) and Dassa by Lyele-speaking Gurunse (B. Bayili, 1998). The rural commune of Dassa is located in the center-west region (capital Koudougou, the 3rd largest city in Burkina Faso, after Ouagadougou and Bobo-Dioulasso respectively). The rural commune of Niaogho is located in the centre-east region, the province of Boulgou (Tenkodogo is the capital of both the region and the province).

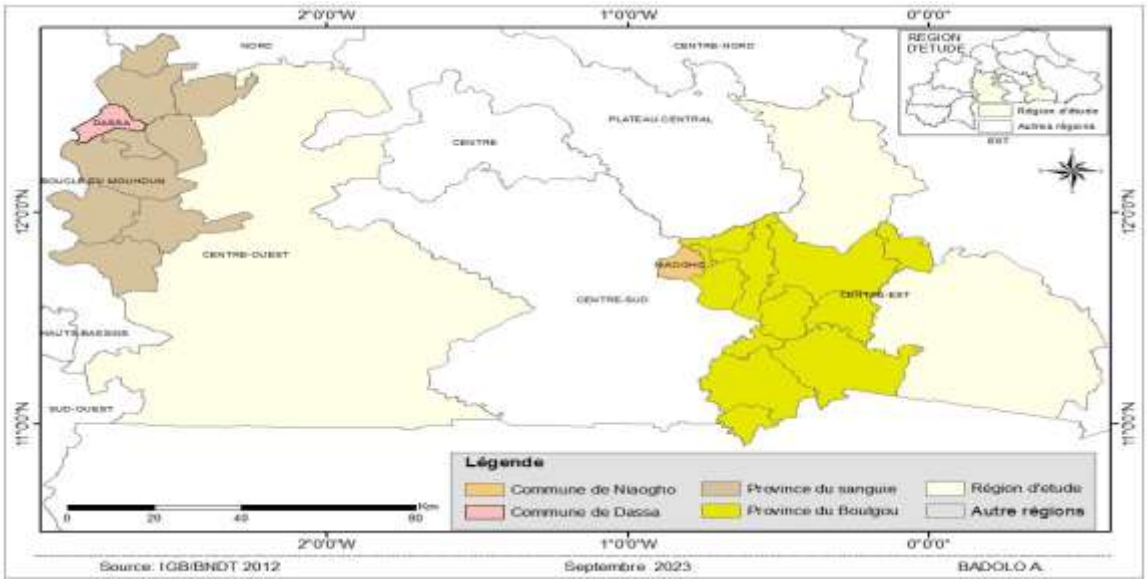

Figure 1. *Location of research areas*

Dassa counts approximately 20,411 inhabitants (Recensement Général de la Population et de l'Habitat, 2019). According to the same census, Niaogho counts approximately 25,547 inhabitants. The two localities have different socio-political cultures, as Niaogho is traditionally part of the central Moogo, i.e., the Nakombga political centralization (Izard, 2003). Whereas Dassa has remained a "Gurunse" zone, according to M. Izard (1985), because it has escaped all domination aimed at political centralization. The generic term "Gurunse" encompasses various socio-cultural groups, such as the Lela or the Nuna, to which the Dassa populations belong. From this point of view, while Dassa has remained an area with a lineage-based socio-political organization, Niaogho has been incorporated into the Moaga state (A. Faure, 1996; 1983), namely into the Zoungrantenga kingdom of Tenkodogo, and thus politically assimilated by the Moose. The rural commune of Dassa is some 300 km from that of Niaogho, via (necessarily and strategically) the capital Ouagadougou. However, the inhabitants of Dassa and Niaogho share a standard patrilineal inheritance mode. Geographical, demographic, and socio-political disparities motivated the simultaneous choice of these two localities for the investigation.

This research is qualitative insofar as it aims to identify the social processes involved in constructing women's land ownership. In this respect, opinions are more significant than numerical weight. The experiment involved a sample of 28 women (15 in Dassa and 13 in Niaogho), constituted after saturation of field data, and 5 male landowners (2 in Dassa and 3 in Niaogho). The sample was constituted a posteriori. For sampling purposes, a pre-survey was conducted among young married women in both localities. In Dassa and Niaogho, as young married women working in production farms are generally under the social responsibility of their mothers-in-law, a pre-survey was carried out to facilitate the identification of older women to be surveyed. Interviews were conducted with mothers-in-law, as the land cultivated by young married women is, in most cases, owned by them. We gained access to these interviewees through the indirect access method, particularly through the snowball effect. The interviews were semi-structured, recorded with a Dictaphone, transcribed and analyzed thematically.

III. Results and Discussion

From the corpus processing and analysis, four main themes were isolated for the presentation of the results. These are: women's access to land as a conflict to social norms; social itineraries of women's access to land, women's obligation to give land; "Edjioko" as a factor in women's exclusion from land inheritance.

3.1. Women's Access to Land in Conflict With Social Norms

In Niaogho, the land is a lineage heritage. Descendants of a common ancestor have equal inheritance rights to the lineage plot of land. Under the responsibility of the eldest member of the family, married women, their spouses and the spouse's brothers and sisters' (single ones), work on the same plot to produce for family consumption. In fact, mornings are generally devoted to this shared activity. In the afternoons, apart from the eldest member of the family, the others work on their personal farms. Young married women, on the other hand, work on their mother-in-law's plots, generally producing groundnuts, okra and cowpeas. In Dassa, the situation is similar to that in Niaogho. There too, the family farmland, called *Kèlè in Nuni*, is administered by the eldest member of the family. Brothers, children and agnatic parallel cousins work the same farmland, except for women and girls, who also own plots. In Nuna areas, women did not work in the collective field as in Bissa country. But increasingly, situations are becoming similar in every respect. Women's plots (*goura* in nuni), generally smaller than the Kèlè, can be obtained by donation. Every woman in a lineage is entitled to a goura for farming. Niaogho's land is also exploited by the inhabitants of three border communes, Béguedo and Ouaregou, without arable land. This led to a bloody conflict in 1983 between Béguedo and Niaogho. The land is only given to the eldest married woman in the family, who farms it with her daughters-in-law. In Niaogho, the women of the same family form a production unit parallel to that run by the eldest member of the family to which they are married.

In the cases of Dassa and Niaogho, empirical observation reveals that almost all the women have a plot of land in the marshy areas behind the concessions and in the distant bush fields. But how do women acquire land in Dassa?

3.2 Social Itineraries for Women's Access to Land

Are women in Dassa and Niaogho the privileged members of a male-dominated system? As most of the women interviewed pointed out, their first piece of land acquired upon arrival in the in-laws' was a gift from the husband or eldest son, who generally has inheritance rights in the lineage. Karidjatou, 52, notes: "When I got married, my husband found me a plot of land. He gave me part of his field to work on".

The plot of land that the husband gives his wife can be cleared if no one has used it before. Clearing the land is, therefore the husband's responsibility. The wife can intervene in burning heaps of shrubs, but in case of difficulties, her husband does it. Working to prepare the new field is done in tandem with the husband:

> When you get married, you have to see your husband so that he can give you a piece of land to work on. He will then cut the shrubs. If the wife can pile up the cut shrubs, she does it; if she can't, her husband does it for her because it's to help her (declares Géneviève, 60-year-old woman, Niaogho).

In any case, the husband is the main pillar in acquiring farmland for his wife. Echien (a 69-year-old woman from Dassa), who owns two plots of farmland, claims to have obtained them with her husband's help:

My husband went to an uncle of his and asked him to help him with a plot of land for his wife. When he agreed, he took my husband to the site and showed him the part he had authorized us to exploit. Up to now, the land belongs to me. Even for my near-the-house plot of land, it's still my husband who asked his neighbor for me. But some women go to the landowners by themselves to ask for it.

This is undoubtedly the case of Hatè who, after having worked during her first years of marriage with her husband, then was given a portion from the latter's field to farm, finally found herself a lot from her acquaintances. Hatè is an older woman from Dassa, aged 73. She no longer works in the field but is replaced by her daughter-in-law. As she explains, she has sought autonomy by moving to another lineage to acquire a plot of her own. This is how she tells us about her itinerary:

When I arrived at my husband's house, I farmed with him for the first few moments. I came after the work in the fields. The first year we were married, as I was young, I couldn't have my field. I worked with my mother-in-law. It was the second year that I got a plot for myself. This field was a portion that my husband gave me from his field. This was because I was new and needed to learn about the people in the village. So I couldn't ask for a field of my own. But I needed a field of my own. So my husband gave it to me.

For my second field, it was my maternal aunt who used to work there. She abandoned this field because she had become old and could no longer work it. She also only had daughters who all got married, so the aunt didn't have any daughter-in-law to work on it, so I went and asked her to exploit it. So, I left the first plot of land my husband gave me.

After this second field, I had to look for a third because the animals were destroying the seedlings in this very field, which was located in the village.

I got a third field from my uncle, who definitively left Dassa to settle elsewhere. But before getting it, when my mother-in-law heard that the man wanted to give me his field, she would go to the latter's family and ask and obtain a portion of the same plot of land. So, I worked on one piece of the field since my mother-in-law occupied the other part. When she got old, she stopped exploiting her portion, so I returned to my uncle's family and expressed my intention to occupy the whole field.

Hatè's story shows that land is acquired within the circle of acquaintances. Without a husband, a woman may turn to a third party to obtain a plot of land. While the majority of women would stick to the portion of land bequeathed to them by their husbands, in the case above, the woman mentions the need to obtain her field through her own connections. Indeed, the Dassa and Niaogho contexts reveal an exclusivity of property rights for as long as the plot is exploited. The women told us that the donor cannot withdraw a plot given for food crop production. This corroborates the words of Chichi (58, Dassa), who tells us that she currently owns her third field. She abandoned the first two, as she found them no longer very fertile, although Adoua (58-year-old woman, Dassa) supports this idea by mentioning that she has not yet been a victim herself or heard an example of a woman who, having benefited from a field, had it withdrawn: "The field given to a woman can no longer be withdrawn. But if the person grows old and has no daughter-in-law or son to exploit it, the donor can give it to someone else. It is the abandonment of the field that can justify its withdrawal by the owner".

In reality, every landowner has to give the land to whoever wants to work it to meet their food needs. Among the Hausa, for example, every young person has a field called a *gamana*.

As the interviewees put it, the gift of land for "*n la me pia n gni koudjou*" (literally translated: to seek food for your mouth), seems like an injunction to holders of traditional land ownership rights. While donors see the search for food as an essential reason for women to obtain land, it should be noted that, as in other cultures, in rural Dassa and Niaogho, the need for food is part of a person's dignity. This practice of solidarity and mutual aid for physiological food needs is a moral and economic rule in many African societies.

Figure 1. *Photo: weeding her production plot*
Source: field photo, 2023

But what does land actually mean to women in the process of mobilizing household food resources?

3.3 The Obligation to Give the Land to the Wife

Women's granaries are the primary food stores for the household; this reduces the husband's burden to address his wife's food needs. But in reality, this type of management is now subject to social change. As Ogora (a 57-year-old man from Dassa) puts it, "these days, with monogamy, nothing prevents a husband from working with his wife and managing the same granary together". Separation was therefore a conflict-prevention strategy in polygamous families. By allowing each woman to have her own field and granary, heads of lineage made each woman responsible and accountable for the well-being of her household and children. As 60-year-old Yanick confirms.

> If you make them work together, there are lazy women who won't do anything, and they have a different number of children. If the granary is shared, the man won't be able to contribute with his lineage brothers in case of problem, and if a woman wants to give millet to her mother, where will she take it from? That's why we allow each woman to work alone.

Women's access to land is more than a necessity in Dassa. However, the representations that the families of origin have of their married daughters are obstacles to the right of inheritance.

3.4 The "Edjioko" Concept in Dassa as a Factor of Women's Exclusion from Land Inheritance

Edjioko is a Nune concept dedicated to the daughters of a lineage. When a daughter of a heritage gets married, she is subsequently considered a member of the new family and, thus, loses many advantages in her family of origin. In addition to the loss of miracles, the "*edjioko*" is subject to several prohibitions. The right to inherit the land, or indeed any inheritance whatsoever, is a notable disadvantage for *édjiokoa*. Social representations regard them as no longer belonging to the family. As far as the right to estate is concerned, women consider it absurd for an *édjioko to* claim her inheritance. As Haria (a 40-year-old woman) said: "You have to ask Eyama. She tried it, but she returned to her husband walking on her knees". Actually, it is accepted in Dassa that an edjioko has no inheritance rights. Some mysticism surrounds this issue, which means that sorcerers would attack a daughter who returned to claim a share of the inheritance; hence the example of Eyama cited by Haria. In addition to Haria, Hatè also mentions mystical attacks by the biological lineage if an *edjioko* claimed to be granted land inheritance right: "If she goes directly to her brothers to claim her share of the estate, she may get it, but the following year she won't be alive to exploit it. A married daughter has no right to inheritance in her family of origin. But her sons can go and claim it.

These words reveal a gateway for the woman to obtain an agricultural plot. This gateway is opened by the advantage of the woman's sons. In reality, in Dassa, for a married woman to obtain a plot of land from her parents, it is her sons who have to apply for the plot. The maternal uncles, feeling obliged to honor all their nephews' requests, cannot refuse to give them a portion of the land. So if the sons obtain a plot of land from their maternal uncles, the mother, through her children, can work on it without fear: "I know that my sons can go and ask their uncle. And if they get it, I can go and work it with my sons," explains Hatè (73).

Figure 2.*Woman on a farm with her son*
Source: field photo, 2023

Regarding the issue of women's right to land inheritance, none of the women interviewed felt entitled to it, nor did they view it as a gender inequality. They consider it a traditional norm and cannot think otherwise. In reality, not having the right to inheritance is an integral part of the socialization received by the girls. They have historicized it so they can only view it as a regular social fact.

Even if *the édjioko* no longer seems part of her biological family, Korotimi (70), notes that they certainly have no right of inheritance; however, a deceased *édjioko* cannot be buried until her biological lineage sees her remains. It should, therefore, be noted that the édjioko is excluded to some extent by her family of origin. But when it comes to burial rites, the biological lineage is a major member.

3.5 Discussion

Women's access to land is subject to context. The particularities of custom show that it is tendentious to convey the idea that women do not have access to land. This access takes place following the logic in place, namely the traditional land tenure system still prevails in rural Burkinabè societies. This is the case in Dassa and Niaogho. Research by M. Doka *et al* (2004) has already shown that, among the Hausa, women, as well as married and unmarried men, have a portion of land for their various needs. Similarly, in other societies, such as the Moose, women have access to land even if they do not have prerogatives over land management. As a result, women do have access to land, but in specific ways and contexts. All of which puts into perspective the idea that "customs are obstacles to women's right of access to land". In fact, modes of production, means and factors, and even the availability of the object of work determine women's and men's access to land. There are social logics that guide men's and women's access to land: for example,

> Diola society is in transition, which has a significant impact on land tenure practices. Despite the existence of modern land legislation in Senegal, which has officially replaced the Diola's "customary" authorities and rules, the Diola continue for the most part to experience access to land in terms of their local rules and perceptions (G. Hesseling, 1994 p 244).

With these contextual factors in mind, it should be pointed out that lack of access to land is not a typical feature of gender inequality but stems from the objectification of the idea that women are not made for work but for taking care of the household, a view endorsed by D. Kergoat (1982).

Thus, if it has been established that a woman can obtain a workable plot of land; this access can take place through two main channels, namely through the husband, who is more often responsible for giving his wife a portion of his plot of land so that she can provide for the needs of her household "*tuituigni* en lyélé":

> Generally speaking, women are dependent on men for access to land; they gain access indirectly in two ways: before being married, the woman works as a member of the family and takes part in agricultural work with her mother; once married, the woman works on land belonging to her husband or his family. (M., Koné, 2006 p 1-2)

Obtaining a plot of land with the help of her husband can be explained as an effort to empower the wife to produce food. This autonomy in food production, however, requires a prior independence in land ownership, because, as the interviewees pointed out, a plot of land granted to a woman for her nutritional needs cannot be taken back by its former owner. For the head of household, the gift of land is seen as a social obligation: "an

obligatory social practice which consists in the head of household giving a plot of land to his wife" (M., Doka et M., Monimar, 2004 p 6).

The social principle that a wife must be represented by her husband to obtain land is a manifestation of male-domination which insinuates that the materialization of a wife's submission is unquestionably the valorization of the husband. A woman who appears alone in a family is a sign of disrespect and insubordination: she would look like a rebel. These representations are in line with the findings of M. Koné (2011 p. 2), who already pointed out this mode of land acquisition: "[...] once married, the woman works on land belonging to her husband or his family".

Land acquisition takes place within the woman's line of descent. Although landowners exist in Dassa and Niaogho, this customary function neither defines nor grants exclusive ownership of the land in a village or farming settlement since, according to the conventional land tenure system prevailing in these localities, the land is the property of the whole community. For instance, in Senegal :

> Today, the king no longer has rights over village land, which belongs to the families who cultivate it. Rice-field tenure is individualistic and precisely codified. When a man marries, he receives a certain number of rice paddies from his father to support his new family. He receives them as "property", i.e. he can use them as he wishes, provided he does not alienate them. The groom will then give his wife exploitation rights to half of these rice fields. Women therefore do not own land, and generally cannot inherit it. However, because of monogamous marriages endogenous to the village, but also because women can be guardians of important akiin (altar-keepers), women's security of tenure is very high; in some ways, it is even greater than that of men, who, as their sons marry, will have to cede part of their land to them (G., Hesseling, 1994 p 245-246).

The individuation of property, capitalism, and the urbanization of the countryside have introduced changes in the perception of land holdings. All these have contributed to the evolution of the land as a culturally animated symbol.

However, there are residual cases of women acquiring plots of land without the help of their husbands. This indicates the prior existence of social capital.

The data on non-inheritance rights align with the analyses of M. Koné (2011 p. 2), who notes that: "Traditionally, whatever the prevailing inheritance system or the mode of transmission of property, women rarely receive or inherit valuable land definitively with exclusive rights".

The daughters-in-law inherit the plot. However, when a farmer leaves her field and moves to another one, the abandoned plot of land can be given to another person capable of working it. "The expression "ownership of the land" is therefore preferred to "enjoyment of the land" (C. Coquery-Vidrovitch, 1982 p.67).

Acquiring land for a rural woman is an absolute necessity. The woman is an infinite great help to her husband insofar as her production is of use to the family. She contributes to the caretaking of her household, which in turn helps to shorten the hunger season. Her access to land enables her to participate in producing foodstuffs useful for household management. Among both the Nuna of Dassa and the Bissa of Niaogho, there is a separation of the farmland: the wife does not work on the same field as her husband. The wife and her daughters work on one side, and her husband and his sons work on the other side, despite the fact that the produced crops have almost the same function. The husband's crops and those of his wife are used primarily for household needs.

> "On the land granted to her by her husband, brother or father, or male relatives, the woman produces food to feed the family she cares for or in which she lives". M., Koné (2011 p1).

Encouraging women's access to land in Dassa is therefore, for the men, a reinforcement of their able-bodied producers.. "To feed the family, they first draw on the women's reserves, before tackling the contents of the family granary, which constitutes a sort of food insurance for difficult times (lean season, start of field work)" (F., ki-zerbo, G., Konaté *et al.*, 2006, p.11).

IV. Conclusion

Women's access to land is regulated by custom. It is a matter of social norms and traditional land management practices and habits, an intergenerational lineage inheritance. This access must be guaranteed by the new family to which the woman belongs and not by her biological family. Social representations do not consider women to be among the beneficiaries of family land inheritance; the loophole opened is that women can obtain a portion of land from their biological parents, but only through their children. In short, it appears that in Dassa, the married daughter referred to by her biological family as "édjioko" is limited by numerous prohibitions that reduce her rights. On the other hand, her sisters-in-law are entitled to a portion of her parents' land for their various productions. Consequently, in line with the socio-cultural realities of each society, the promotion and popularization of policies concerning women's right of access to land must be plural. Women are not subject to the same realities, and we shouldn't design singular policies specific to one community and make them popular. If women have internalized the prohibition of non-inheritance of land in their perception scheme, attempts to improve this inheritance right will be futile. Actually, it is not a matter of inheritance rights, but rather a matter of access to land. However, with urbanization, doesn't the sale of land solve the problem of female land ownership?

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